

Message Text

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ORIGIN AF-04

INFO OCT-01 SS-14 ADP-00 L-02 NSC-10 NSCE-00 CIAE-00

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DRAFTED BY AF/E:TJBURKE/WBCOOTE

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APPROVED BY AF/E:WBCOOTE

L/AF:MR. SPIEGEL (INFO)

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O 292342Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY LUSAKA IMMEDIATE

C O N F I D E N T I A L STATE 172645

LIMDIS

E.O. 11652: GDS

TAGS: PFOR, ZA, US

SUBJECT: MEETING WITH ZAMBIAN CHARGE ON SOGHOIAN CASE

1. AF/E DIRECTOR AND ZAMBIAN DESK OFFICER MET AT NOON AUGUST 29 WITH ZAMBIAN CHARGE SIYOLWE AND FIRST SECRETARY TO DISCUSS SOGHOIAN ARREST. ALTHOUGH CHARGE AND DIRECTOR HAD TELEPHONE CONVERSATION PREVIOUS NIGHT ABOUT ARREST (STATE 171734), THIS MEETING CONSTITUTED FORMAL NOTIFICATION TO EMBASSY OF ARREST.

2. CHARGE INDICATED SERIOUS CONCERN HIS GOVERNMENT AT:
(A) UNFAVORABLE PUBLICITY ALREADY GENERATED RE ZAMBIAN GOVT (HE WAS HIGHLY CRITICAL OF REFERENCE TO ZAMBIAN GOVT AND ZAMBIAN PRESIDENT IN FBI PRESS RELEASE; (B) POSSIBILITY THAT PRESIDENT KAUNDA'S NAME WILL BE BANDIED ABOUT IN COURSE FORTHCOMING LEGAL PROCEEDINGS; AND (C) LIKLIHOOD OF ADVERSE EFFECTS ON ZAMBIAN SECURITY POSTURE VIS-A-VIS ITS NEIGHBORS RESULTING FROM PUBLIC DISCLOSURE ZAMBIAN PROCUREMENT OF SECURITY AND COMMUNICATIONS DEVICES. CHARGE ASSERTED THAT SOGHOIAN WAS NOT AGENT OF GRZ IN PRACTICAL
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INTERPRETATION OF FOREIGN AGENT REGISTRATION ACT BUT

FUNCTIONED MERELY AS PURCHASING AGENT. ACCORDING CHARGE, SOGHOIAN CLAIMS THAT HE BROUGHT BACK TWO ELECTRONIC SURVEILLANCE DEVICES TO US FROM ZAMBIA FOR REPAIR AFTER RECEIVING AUTHORIZATION TO BRING THEM HERE FROM US EMBASSY LUSAKA. CHARGE FURTHER SAID THAT SOGOHIAN CLAIMED TO HAVE

HAD COPY OF LETTER SIGNED BY OUR AMBASSADOR GRANTING THAT AUTHORIZATION. LETTER ACCORDING SOGHOIAN WAS PICKED UP BY FBI AT TIME OF HIS ARREST OR DURING SEARCH HIS HOTEL QUARTERS. FINALLY, CHARGE ASSERTED THAT SOGHOIAN HAD BEEN PROCURING EQUIPMENT HERE FOR SEVERAL YEARS AND THAT USG MUST HAVE BEEN AWARE OF AMOUNTS AND NATURE OF EQUIPMENT THROUGH DEPARTMENT OF COMMERCE EXPORT LICENCES WHICH SOGHOIAN HAD IN EVERY CASE PROCURED. (AT END OF MEETING CHARGE TOLD DEPOFFS THAT HE HAD TELECON WITH MARK CHONA EARLIER IN MORNING WHILE LATTER WAS MEETING WITH PRESIDENT KAUNDA.) PRESUME CHARGE'S PRESENTATION FOLLOWED LINES LAID DOWN BY CHONA.

3. AF/E DIRECTOR INDICATED DEPT TOO WISHED TO AVOID TO EXTENT POSSIBLE UNFAVORABLE PUBLICITY RE ZAMBIA ON THIS MATTER, ESPECIALLY AS REGARDED USE OF PRESIDENT KAUNDA'S NAME. HE STATED THAT WE WOULD CONVEY TO DEPARTMENT OF JUSTICE SUBSTANCE CHARGE'S REMARKS AS WELL AS OUR FULL SUPPORT FOR PRINCIPLE THAT EVERY EFFORT SHOULD BE MADE TO AVOID USE OF PRESIDENT'S NAME IN LEGAL PROCEEDINGS. (ABOVE HAS BEEN PASSED TO JUSTICE, WHICH HAS ADVISED IT WILL COOPERATE TO MAXIMUM EXTENT POSSIBLE). AT SAME TIME AF/E DIRECTOR STRESSED THAT IF SOGHOIAN, WHO WAS AMERICAN CITIZEN, WAS GUILTY OF CRIMINAL ACT, DEPARTMENT WAS IN NO POSITION TO INTERFERE WITH PROGRESS OF JUSTICE. ON QUESTION OF APPLICABILITY TO SOGHOIAN OF FOREIGN AGENTS REGISTRATION ACT, WE INDICATED THAT THIS TECHNICAL LEGAL MATTER WHICH WOULD HAVE TO BE DECIDED BY COURT AND NOT PROFITABLE SUBJECT FOR NON-LAWYERS PURSUE.

4. AF/E DIRECTOR EXPRESSED EXTREME SCEPTICISM THAT US AMBASSADOR OR ANY MEMBER HER STAFF WOULD HAVE SIGNED LETTER HAVING ANYTHING WHATSOEVER TO DO WITH ELECTRONIC SURVEILLANCE DEVICES. HOWEVER, SAID HE WOULD ASK
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AMBASSADOR AND QUERY EMBASSY ON THIS POINT IN ORDER VERIFY SUPPOSITION. (FYI, AMBASSADOR STATES SHE DID NOT SIGN LETTER SUCH AS SOGHOIAN CLAIMS TO HAVE HAD.) APPRECIATE EMBASSY CONFIRMATION THAT NO LETTER OF THIS TYPE SIGNED BY ANY OTHER MEMBER OF EMBASSY STAFF.

5- DRAWING UPON PRIOR COMMUNICATIONS FROM POST, AF/E DIRECTOR ADVISED CHARGE THAT GRZ SECRETARY GENERAL MILNER

IN CONVERSATION WITH AMBASSADOR HAD STATED THAT SOGHOIAN'S INSTRUCTIONS WERE TO OBTAIN ONLY THOSE ITEMS WHICH WERE FREELY AVAILABLE TO ANY PURCHASER. IN SAME CONVERSATION MILNER HAD CLEARLY INDICATED HIS OWN CONCERN THAT SOGHOIAN'S ACTIVITIES MIGHT HAVE BEEN IN CONTRAVENTION OF U.S. LAW WHICH CONTRARY TO GRZ'S INSTRUCTIONS, AND

EXPRESSED HOPE THAT SOGHOIAN'S ACTIVITIES WOULD NOT BECOME SOURCE OF EMBARRASSMENT TO GRZ. MILNER ALSO INQUIRED IF EMBASSY HAD ANY INFORMATION ON WHEREABOUTS OF SOGHOIAN. DIRECTOR INDICATED THAT AMBASSADOR AND WE HAD BEEN PUZZLED AT THIS APPROACH SINCE PRESUMABLY ZAMBIAN EMBASSY HERE SHOULD HAVE BEEN ABLE LOCATE SOGHOIAN AND CONVEY TO HIM ANY GRZ INSTRUCTIONS. CHARGE INDICATED THAT THIS WAS FIRST INDICATION HE HAD RECEIVED OF MILNER-AMBASSADOR CONVERSATION AND AGREED THAT ZAMBIAN EMBASSY COULD HAVE AND WOULD HAVE LOCATED SOGHOIAN AT ANY TIME HAD IT BEEN REQUESTED TO DO SO.

6. ONLY SUBJECT NOT COVERED WAS EMBASSY WAREHOUSE. WE FELT NO USEFUL RESPONSE COULD BE EXPECTED FROM CHARGE IN ABSENCE INSTRUCTIONS FROM LUSAKA.

7. AF/E DIRECTOR INDICATED WE WOULD SEEK FURTHER INFORMATION REGARDING (A) EXISTENCE ANY LETTER PURPORTEDLY AUTHORIZING SOGHOIAN BRING DEVICES TO US, (B) ANY DETAILS AVAILABLE ON COMMERCE DEPARTMENT EXPORT LICENCES GRANTED TO SOGHOIAN IN PAST, AND (C) ANY FURTHER INFORMATION OF GENERAL NATURE RE SOGHOIAN'S CASE WE COULD ELICIT FROM DEPARTMENT OF JUSTICE. ROGERS

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